

# HOUSE BILL 841

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2lr2134  
CF SB 634

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By: **Delegates Frick, Dumais, Eckardt, Feldman, Frank, George, Gilchrist, Haddaway–Riccio, Hixson, Hucker, Kach, A. Kelly, Kipke, Krebs, Lee, McDermott, McDonough, McMillan, A. Miller, Ready, Reznik, Schuh, Stocksdale, and Waldstreicher**

Introduced and read first time: February 9, 2012

Assigned to: Health and Government Operations

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## A BILL ENTITLED

1 AN ACT concerning

2 **Food Service Facilities – Open Windows and Doors – Regulations**

3 FOR the purpose of requiring the Department of Health and Mental Hygiene, on or  
4 before a certain date, to adopt certain regulations that allow a food service  
5 facility to operate with the outer windows or outer doors of the facility open if a  
6 certain determination is made by a certain local health department; and  
7 generally relating to regulations for open windows and doors at food service  
8 facilities.

9 BY adding to

10 Article – Health – General

11 Section 21–324.1

12 Annotated Code of Maryland

13 (2009 Replacement Volume and 2011 Supplement)

14 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
15 MARYLAND, That the Laws of Maryland read as follows:

16 **Article – Health – General**

17 **21–324.1.**

18 **ON OR BEFORE JANUARY 1, 2013, THE DEPARTMENT SHALL ADOPT**  
19 **REGULATIONS THAT ALLOW FOOD SERVICE FACILITIES TO OPERATE WITH THE**  
20 **OUTER WINDOWS OR OUTER DOORS OF THE FACILITY OPEN FOR VENTILATION**  
21 **OR OTHER PURPOSES IF THE LOCAL HEALTH DEPARTMENT DETERMINES THAT**  
22 **THERE IS NO EVIDENCE OF INFESTATION BY FLYING INSECTS OR OTHER**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 VERMIN THAT COULD CREATE AN IMMINENT THREAT TO THE PUBLIC HEALTH  
2 AT THE FACILITY.

3 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
4 October 1, 2012.